

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JANE E. MEISSE SHUFORD,

Plaintiff,

– against –

UNITED STATES OF AMERICA,

Defendant.

ORDER

13-CV-6303

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

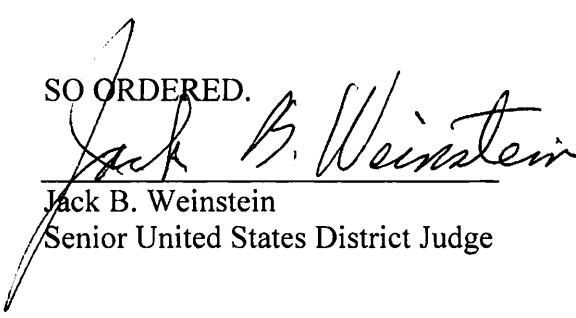
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JACK B. WEINSTEIN, Senior United States District Judge:

Plaintiff has been awarded federal workers' compensation benefits and is therefore barred from bringing an independent suit against the United States. *See* 5 U.S.C. § 8116(c); *Votteler v. United States*, 904 F.2d 128, 130 (2d Cir. 1990) ("[The Federal Employees Compensation Act ("FECA")] is the exclusive remedy for work-related injuries sustained by federal employees"); *Mathirampuzha v. Potter*, 548 F.3d 70, 81 (2d Cir. 2008) ("Because the FECA is an "exclusive" remedy, . . . it deprives federal courts of subject-matter jurisdiction to adjudicate claims brought under the [Federal Tort Claims Act] for workplace injuries that are covered by the FECA." (internal citation omitted)). The case is dismissed.

SO ORDERED.


Jack B. Weinstein
Senior United States District Judge

Dated: April 24, 2019
Brooklyn, New York